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LEGAL LIABILITY OF WATER COMPANY.

DAMAGES RECOVERABLE WHEN WATER SUPPLIED IS DANGEROUSLY CONTAMINATED.

The Supreme Court of the State of New Jersey has decided that a water company supplying water for domestic purposes is bound to exercise reasonable care to see that the water is wholesome and safe.

In *Jones v. Mount Holly Water Co.* (see page 2669 of this issue of the Public Health Reports) the plaintiff was a customer of the water company. Three of his children became ill, and he sued the company for damages, alleging that the illness was caused by contamination of the water with fecal matter. He secured a verdict for \$750 in the lower court, and the supreme court sustained the verdict.

The court held that the evidence was sufficient to justify the jury in finding that the illness of the children resulted from the contamination of the water and that the company had been guilty of negligence in supplying water which was unsafe for drinking purposes.

Judge Kalisch, in the opinion, said:

It must be borne in mind that the defendant company was in the water-supply business for profit. The plaintiff had paid for the supply which he was to receive, in advance. Hence it became the duty of the defendant company to give to the plaintiff water fit for domestic purposes, including fitness for drinking. Water is a necessity of life, and one who undertakes to trade in it and supply customers stands in no different position to those with whom he deals than does a dealer in foodstuffs. He is bound to use reasonable care that whatever is supplied for food or drink shall be ordinarily and reasonably pure and wholesome.

* * * * *

Actual notice or knowledge of the unwholesomeness of the water was not an essential element to be proven in order to establish the defendant's liability. It was sufficient if there was testimony tending to show that the defendant, in the exercise of reasonable care, might have discovered the unwholesomeness and dangerous condition of the water.

THE QUARANTINE SITUATION.

A GENERAL REVIEW OF THE SUBJECT AS AFFECTED BY THE WORLD PREVALENCE OF CHOLERA, YELLOW FEVER, PLAGUE, AND TYPHUS FEVER.

By L. E. COFER, Assistant Surgeon General, United States Public Health Service.

When a quarantine officer inspects an arriving vessel his judgment of its sanitary status must be based upon two sets of conditions; first, conditions apparent at the time of inspection and second, the sanitary history of the port or ports of departure.